

Message Text

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ORIGIN TRSE-00

INFO OCT-01 EUR-12 IO-10 ISO-00 EB-07 FEA-01 AGR-05 CEA-01

CIAE-00 COME-00 DODE-00 FRB-03 H-02 INR-07 INT-05

L-02 LAB-04 NSAE-00 NSC-05 PA-01 AID-05 CIEP-01 SS-15

STR-04 TAR-01 USIA-06 PRS-01 SP-02 OMB-01 AF-06

ARA-06 EA-06 NEA-09 /129 R

DRAFTED BY TREAS:RSELF:CLJ

APPROVED BY EB/OT/STA:WCLARK,JR.

EB/OT/STA:EGCONSTABLE

EUR/RPE:JMCCARTHY

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P R 031620Z APR 75

FM SECSTATE WASHDC

TO AMEMBASSY PARIS PRIORITY

AMEMBASSY BRUSSELS PRIORITY

INFO AMEMBASSY BONN

USMISSION EC BRUSSELS

AMEMBASSY COPENHAGEN

AMEMBASSY DUBLIN

AMEMBASSY ROME

AMEMBASSY LONDON

AMEMBASSY LUXEMBOURG

AMEMBASSY THE HAGUE

USMISSION OECD PARIS

USMISSION GENEVA

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E.O. 11652: N/A

TAGS: EC

SUBJECT:COUNTERVAILING DUTY INVESTIGATION: FLOAT GLASS

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REFS: (A) STATE 59489; (B) PARIS MARCH 20 MEMCON;
(C) BONN 5084; (D) DUSSELDORF 324

1. DEPARTMENT REALIZES THAT MARCH 20 PARIS MEETING OF CUSTOMS OFFICIALS AND GOF REPRESENTATIVE (REF B) TOOK PLACE BEFORE RECEIPT OF DEPARTMENT INSTRUCTIONS (REF A) AND THAT CERTAIN POINTS THAT WE ASKED TO BE MADE WOULD NOT HAVE BEEN RAISED IN THIS MEETING.

2. TWO POINTS, HOWEVER, NEED CLARIFYING: (A) IN NEXT TO LAST PARA OF MEMCON, WHERE REFERENCE IS MADE TO THE APPLICATION OF DISCRETIONARY PROVISION OF AMENDED COUNTERVAILING DUTY LAW, THE STATUTE IS CLEAR. ALL THREE CONDITIONS MUST BE MET BEFORE A WAIVER UNDER THIS PROVISION CAN BE GRANTED; (B) IN FINAL PARA, EMBOFFS NOTED THAT "TIMING OF INVESTIGATIONS FLOWED RATHER FROM REQUIREMENTS OF PASSING AND IMPLEMENTING THE TRADE ACT" WHICH LED TO RECENTLY ANNOUNCED INVESTIGATIONS. IT SHOULD BE EMPHASIZED THAT EACH INVESTIGATION UNDER THE COUNTERVAILING DUTY LAW WAS INITIATED SOLELY BECAUSE OF THE MANDATORY PROVISIONS OF THE STATUTE

AND ITS LEGISLATIVE HISTORY AS OPPOSED TO ANY SUGGESTIONS THAT INITIATION OF SUCH INVESTIGATIONS RELATED TO SUCCESSFUL PASSAGE OF THE TRADE ACT, WHICH IS NOT THE CASE.

3. ACTION POSTS REQUESTED TO REPORT STATUS OF APPROACHES TO BELGIAN AND FRENCH GOVERNMENT OFFICIALS PURSUANT TO INSTRUCTIONS CONTAINED IN REF A. WE ARE PLEASED TO NOTE SOME POSITIVE STEPS BY GERMAN GOVERNMENT OFFICIALS (REF C AND D) AS WELL AS CONTINUED COOPERATION FROM BRITISH AND ITALIAN GOVERNMENTS. THESE DEVELOPMENTS WOULD APPEAR TO BE INCONSISTENT WITH STATEMENT BY FRENCH OFFICIAL THAT THE "COMMUNITY POLICY" IS ONE OF NON-COOPERATION.

4. IF BELGIAN AND FRENCH GOVERNMENT OFFICIALS CONTINUE TO BELIEVE THAT IT IS NOT IN THEIR INTERESTS TO ALLOW CUSTOMS REPRESENTATIVES TO DEAL DIRECTLY WITH FLOAT GLASS COMPANIES IN FIELD INVESTIGATIONS, A RANKING TREASURY OFFICIAL MAY VISIT EUROPE SHORTLY TO DISCUSS SITUATION WITH THEM IN AN EFFORT TO PURSUADE THEM TO MODIFY THEIR LIMITED OFFICIAL USE

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POSITION. KISSINGER

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NNN

Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INVESTIGATIONS, COUNTERVAILING DUTIES, GLASS
Control Number: n/a
Copy: SINGLE
Draft Date: 03 APR 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: MorefiRH
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975STATE075063
Document Source: CORE
Document Unique ID: 00
Drafter: RSELF:CLJ
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Film Number: D750115-0581
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t19750484/aaaaczgg.tel
Line Count: 108
Locator: TEXT ON-LINE, ON MICROFILM
Office: ORIGIN TRSE
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
Page Count: 2
Previous Channel Indicators: n/a
Previous Classification: LIMITED OFFICIAL USE
Previous Handling Restrictions: n/a
Reference: 75 STATE 59489, 75 PARIS MARCH 20
Review Action: RELEASED, APPROVED
Review Authority: MorefiRH
Review Comment: n/a
Review Content Flags:
Review Date: 16 APR 2003
Review Event:
Review Exemptions: n/a
Review History: RELEASED <16 APR 2003 by BoyleJA>; APPROVED <21 MAY 2003 by MorefiRH>
Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
05 JUL 2006

Review Media Identifier:
Review Referrals: n/a
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: COUNTERVAILING DUTY INVESTIGATION: FLOAT GLASS LIMITED OFFICIAL USE
TAGS: ETRD, EC
To: PARIS BRUSSELS
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 05 JUL 2006